

GRAND COULEE DAM SCHOOL DISTRICT

**110 STEVENS AVENUE
COULEE DAM, WA 99116
(509) 633-2143 FAX (509) 633-2530
www.gcddsd.org**

December 1, 2003



Federal Communications Commission
Office of the Secretary
445 12th Street SW
Washington, DC 20554

RECEIVED & INSPECTED

DEC 8 2003

FCC - MAILROOM

Dear Sir (Madam):

Re: CC Docket No. 02-6
Billed Entity No. 145465
471 Application Number 298633
Funding Request Number 85040
Form 472 (Bear Form) Notification Letter October 3, 2003
USAC – SLD Correspondence Dated October 9, 2003
Grand Coulee Dam School District Letter of Appeal to USAC–SLD Dated July 15, 2003

With reference to the attached correspondence, our July 15, 2003 letter of appeal was denied by the USAC–SLD according to their letter dated October 9, 2003. The basis for denying a waiver of the Form 486 120-day deadline was stated as "The SLD does not have the authority to waive the Form 486 filing deadline, consequently your appeal is denied".

We believe there is a basis for further examination of our appeal due to the circumstances (beyond our control) which are explained in our attached original letter of appeal dated July 15, 2003.

Additionally, we have always processed our E-rate applications on a timely and accurate basis over the past five years, notwithstanding this one untimely filing of the Form 486. We are a small school district with approximately 780 students which operates on a very small fund balance and depends heavily on this E-rate (discount) revenue to help pay for our basic instructional staffing.

As mentioned in our original letter of appeal, measures are now in place to ensure against any recurrence of an untimely filing

Thanks very much for considering this letter of appeal.

Sincerely,


Dennis Chambers, Superintendent

cc: Jeff Loe, Business Manager

Superintendent: Dennis Chambers

Board Members Darlene Bott, JoAnn Ehlers, Monte Heggie, Randy Friedlander, Jim Erickson

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Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2002-2003

October 9, 2003

Dennis Chambers
Grand Coulee Dam School District
110 Stevens St.
Coulee Dam, WA 99116

Re: Billed Entity Number: 145465
471 Application Number: 298633
Funding Request Number(s): 850540
Your Correspondence Dated: July 15, 2003

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year 2002 Form 486 Notification Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 850540
Decision on Appeal: **Denied in full**
Explanation:

- You are appealing SLD decision to adjust the Service Start Date for this funding request to February 23, 2003, which resulted in an reduction of the amount of funds requested from \$15,678.92 to \$6,532.88 (post-discount). You stated that the late filing of your Form 486 was caused by the resignation of the district E-rate Program Manager on June 30, 2002. You further explained that since the E-rate Program Manager was the only one on your staff with E-rate expertise, the school district was left without any guidance or orientation on E-rate filing procedures. You would like SLD to reconsider its original decision.
- After thorough review and investigation of all relevant facts, the SLD determined that you should have filed your Form 486 for this funding request within 120 days calculated from the issuance date of your Funding Commitment Decision Letter or the Service Start Date as indicated on the Form 486, whichever is later. In your

appeal letter, you stated that you missed the filing of the Form 486 because the district's E-rate Program Manager resigned, leaving you without any guidance about E-rate filing procedures. Unfortunately, this does not constitute grounds for a waiver of the Form 486 filing deadline, and has no bearing on this appeal. SLD has established a policy, which has been upheld by the FCC, that imposes upon applicants the responsibility of preparing their applications correctly and to submit all the filing material in a timely fashion. FCC rules do not allow SLD to waive the Form 486 120-day deadline. The appeal is therefore denied.

- Your Form 486 must have been received or postmarked no later than 120 days after the date of your Funding Commitment Decision Letter or no later than 120 days after the Service Start Date reported on your Form 486, whichever is later. The date of your Funding Commitment Decision Letter for FCC Form 471 application number 298633 was 5/7/2002. The Service Start Date reported on your FCC Form 486 was 7/1/2002. The postmark date of your FCC Form 486 was 6/23/2003. Since your FCC Form 486 was postmarked more than 120 days after your Service Start Date or the date of your Funding Commitment Decision Letter, whichever is later, the SLD has revised your Service Start Date to the date 120 days before your FCC Form 486 postmark date and reduced your funding commitment amount based on the revised Service Start Date. The SLD does not have the authority to waive the Form 486 filing deadline, consequently your appeal is denied.
- FCC rules provide that FCC Form 486 certifications must be provided to the Administrator in accordance with existing program guidelines established by the Administrator. *See* 47 C.F.R. § 54.520(g). Existing program guidelines are explained in the Funding Commitment Decision letter. Your Funding Year 2002 Funding Commitment Decision letter notified you that the "Form 486 must be postmarked no later than 120 days after the Service Start Date featured on the Form 486 or no later than 120 days after the date of the Funding Commitment Decision Letter, whichever is later. If the Form 486 is postmarked after the later of those two dates, the date 120 days before the Form 486 postmark date will become the start date for discounted services." *See* Funding Commitment Decision Letter (Funding Year 2002: 07/01/2002 – 06/30/2003), page 2. Since your FCC Form 486 was postmarked more than 120 days after the Service Start Date you indicated on your FCC Form 486, the SLD has modified your service start date.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be POSTMARKED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference

Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use either the e-mail or fax filing options.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

Form 472 (BEAR Form) Notification Letter

October 03, 2003

Owest Corporation fka US West Communications, Inc.
Sally Morrison
1600 7th Ave.
Room 501
Seattle, WA 98191

Re: Form 472 Invoice Number: 407542
Service Provider Identification Number: 143005231
Applicant Form 472 Identifier: 1
Billed Entity Number: 145465

GRAND COULEE DAM SCH DIST 301J
CLARK SAMPSON
110 STEVENS AVE
COULEE DAM, WA 99116

Preferred Mode of Contact: Phone at (509) 633-2143
Total Amount of Reimbursement Approved for Payment: \$6532.88

This letter is to notify you that the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has received and accepted a Form 472 from the above named applicant listing you as the service provider. The SLD has committed to reimburse the discounted portion of the cost of eligible services provided to eligible entities pursuant to one or more Forms 471. As stated in the Form 486 Notification Letter sent to you previously, the applicant has filed a Form 486 advising the SLD that service delivery has begun. The applicant has completed this Form 472 with your assistance, seeking reimbursement of the discounted portion of bills already paid in full to you since the effective date of the discount.

The SLD has processed the Form 472. Pursuant to the Service Provider Acknowledgment page of the Form 472 which you signed, you must remit to the applicant the amount shown as "Total Amount of Reimbursement Approved for Payment" above, no later than 10 calendar days after receipt of payment of the approved discounts from USAC. You also agreed not to tender or make use of the payment of the approved discounts issued by USAC to you prior to remitting the discount to the applicant.

The USAC check should be mailed to the service provider named above within 20 calendar days of the date of this letter.

To reimburse the "Total Amount of Reimbursement Approved for Payment," to the applicant, the service provider may (1) issue a check or (2) issue a credit to the applicant. The decision as to which form the reimbursement should take should be a mutual one between the service provider and the applicant.

The maximum remaining amount available for each Funding Request Number (FRN) listed on the synopsis on the following page(s) will be the original commitment less the amount approved herein for reimbursement and less any earlier disbursements to the applicant.

PLEASE NOTE: Beginning with Funding Year 2000 (07/01/2000 - 06/30/2001), if the first payment request processed for an FRN is on a Form 472, all subsequent payment requests for that FRN must be made on a Form 472; a Form 474 (Service Provider Invoice Form) for that FRN will not be accepted.

EXPLANATION OF INFORMATION PROVIDED IN THIS FORM 472 (BEAR FORM) NOTIFICATION LETTER

To help understand the Form 472 Notification Letter Applicant Reimbursement Synopsis the following definitions are provided.

Funding Request Number (FRN): A Funding Request Number is assigned by the SLD to each Block 5 of a Form 471 once an application has been processed. This number is used to report to applicants and service providers the status of individual discount funding requests submitted on a Form 471.

471 Application Number: A unique identifier assigned to a Form 471 by the SLD, from page 1 of the Form 471.

Funding Year: The funding year for which discounts have been approved. Funding years begin on July 1 and end on the following June 30. Funding years are designated by the calendar year in which they begin.

Contract Number: The contract or agreement number as identified in Block 5, Item 15 of the Form 471.

Funding Commitment Decision: This represents the TOTAL amount of funding that the SLD has reserved to reimburse the cost of the discounts for this service for the specified funding year.

Reimbursement Amount for this FRN: This is the amount of reimbursement to the applicant that has been approved for this FRN on this Form 472.

Reimbursement Request Decision Explanation (SHOWN ONLY IF RELEVANT): This is the reason(s) that a Reimbursement Request was reduced or rejected.

Schools and Libraries Division
Universal Service Administrative Company
CC: GRAND COULEE DAM SCH DIST 301J

FORM 472 NOTIFICATION LETTER APPLICANT REIMBURSEMENT SYNOPSIS

Funding Request Number: 850540
471 Application Number: 298633
Funding Year : 07/01/2002 - 06/30/2003
Contract Number: N/A
Funding Commitment Decision: \$6532.88
Reimbursement Amount for this FRN: \$6532.88
Reimbursement Request Decision Explanation:
 Partial Payment, Inv > \$ Remaining due to 486;

Superintendent: Dennis Chambers
Director of Finance: Clark Sampson

Directors: Roger Lucas, Randy Friedlander
Michelle Hemmer, Kathy Winzer,
JoAnn Ehlers

Grand Coulee Dam School District



110 Stevens St.
Coulee Dam, WA 99116
(509) 633-2143 • Fax (509) 633-2530

July 15, 2003

Schools and Library Division – Letter of Appeal
Box 125
80 South Jefferson Road
Whippany, NJ 07981

Attn: Correspondence Unit

Dear Sir (Madam):

The purpose of this letter is to appeal a Service Start Date that was changed from 7/01/02 to 2/23/03 and a corresponding Funding Commitment amount that was changed from \$15,678.92 to \$6,532.88. These changes appeared on a Form 486 Notification Letter, a copy of which is attached. Our late filing of the Form 486 has caused these adjustments because we did not meet either of the 120 day deadlines provided for filing this form.

This late filing was caused by the unannounced and unexpected resignation of our E-rate Program Manager on June 30, 2002. He was the only one on our staff with E-rate expertise; and his departure, with many important E-rate files, left us without any guidance or orientation on the needed follow-up filing procedures. Unfortunately, we realized much later in the 2002-03 fiscal year (July 1 through June 30) that the Form 486 had not been filed and at that point of time, on June 23, 2003, we post-marked our belated filing for the 2002-03 fiscal year.

We now have professional staffing for the E-rate Program and are current in our filing procedures for the 2003-04 fiscal year. Also, we have installed personnel back-up provisions which will help insure against the recurrence of any late filing.

The following reference information to this appeal is provided as follows:

Contact Person: Clark Sampson
 Phone: (509) 633-2143
 Fax: (509) 633-2530
 E-mail: csampson@gcdsd.org

Billed Entity Number: 145465
 Funding Request Number: 850540
 Service Provider ID Number: 143005231
 Billing Account Number: 5096332143
 Billed Entity Name: Qwest Corporation
 Form 471 Application Number: 298633
 Date of Form 486 Notification Letter: 7-16-03

Again, I am enclosing a photocopy of the subject 7-16-03 Form 486 Notification Letter.

Thanks very much for considering this appeal letter.


 Dennis Chambers, Superintendent


 Clark Sampson, Director of Finance

CS/cs

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U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
OFFICIAL USE	
Postage	\$.60
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65

COULE DAM, WA
 USPS
 Postmark Here
 JUL 15 2003

Sent To
 Schools & Library Division
 Street, Apt No.
 or PO Box No PO Box 125, 80 S. Jefferson Rd.
 City, State, ZIP+4
 Whilppany, NJ 07981

C

Universal Service Administrative Company

Schools & Libraries Division

FORM 486 NOTIFICATION LETTER
(Funding Year 2002: 07/01/2002 - 06/30/2003)

July 16, 2003

GRAND COULEE DAM SCH DIST 301J
CLARK SAMPSON
110 STEVENS AVE
COULEE DAM, WA 99116

Re: Form 486 Application Number: 222443
Applicant's Form 486 Identifier: 0000000001

This letter is to notify you that the Schools and Libraries Division (SLD) has received and accepted an FCC Form 486, Receipt of Service Confirmation Form, from you. This notification is to confirm the information that you provided. This information is being shared with the service provider whose SPIN you identified on the affected Funding Request Number(s) (FRN).

NEXT STEPS

- Work with your service provider to establish discounts (SPI) or reimbursements (BEAR)
- Invoice the SLD -
 - applicant invoice is BEAR Form for reimbursements
 - service provider invoice is SPI Form for discounts
- Pay non-discount portion, as stated in program rules
- Maintain ALL documentation, as stated in program rules

You may be receiving this letter to revise or correct a previous Form 486 Notification Letter. The information contained in this letter supersedes any previous notification you may have received, including, but not limited to, a previously adjusted Service Start Date or previously reduced funding commitment.

NOTICE ON SERVICE START DATE

There may be some situations where one or more Service Start Dates as reflected on this letter have been changed from what you indicated on the Form 486. Such changes are made by the SLD to be in compliance with program rules. You will know that a change has been made if there is an asterisk next to the Service Start Date. If the SLD changed the Service Start Date, this change may have triggered a reduction in the funding commitment. It is important that you and the service provider both recognize that the SLD should be invoiced and the SLD may direct disbursement of the discounts only on eligible, approved products and/or services actually delivered and installed on or after the Service Start Date indicated on this letter.

IMPORTANT REMINDERS & DEADLINES

The following information is provided to assist you throughout the application process. We recommend that you keep it in an easily accessible location and that you share it with the appropriate members of your organization.

PROGRAM COMPLIANCE - Although this Form 486 has been fully data entered, the SLD will continue to review the compliance status of this Form 486, of each entity represented, and of each ERN listed. If the SLD discovers that the reported CIPA compliance status for an entity is not valid or that a required technology plan has not been approved by an SLD certified Technology Plan Approver, invoices featuring the affected ERNs will not be processed. Please refer to the SLD web site for complete information.

FORM 473 - Invoices received by the SLD will not be paid unless the SLD has an ECC Form 473, Service Provider Annual Certification (SPAC), on file for the funding year associated with the invoice.

INVOICE DEADLINE - Invoices must be postmarked no later than 20 days after the last date to receive service. Invoices must be submitted to the SLD no later than the Form 486 Notification Letter deadline. Invoices should not be submitted until the invoiced products and/or services have been delivered and billed, and (for BEAR Forms) the provider has been paid. Once established, the selected invoicing method - Forms 474 (SPIs) or Forms 472 (BEARs) - must be used for the entire Funding Year.

REVIEW OF INVOICES FOR COMPLIANCE WITH PROGRAM RULES - Once an invoice is in the SLD system, it is reviewed - electronically and, in some cases, manually - for compliance with program rules. This review may include requests from our Program Integrity Assurance team to provide information in support of the invoice. Processing of invoices can take up to 90 days, although usually less.

OBLIGATION TO PAY NON-DISCOUNT PORTION - Applicants are required to pay the non-discount portion of the cost of the products and/or services. Service providers are required to bill applicants for the non-discount portion. The ECC has stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If you are using a trade-in as part of your non-discount portion, please refer to the SLD web site.

"FREE" INELIGIBLE SERVICES - Applicants and service providers are prohibited from using approved discounts to subsidize ineligible or unrequested products and services. Please see the "Free Services Advisory" posted in the Reference Area of the SLD web site.

RETAIN DOCUMENTATION - Applicants and service providers must retain documentation including, but not limited to, documents showing:

- compliance with all applicable competitive bidding requirements,
- products and/or services delivered (e.g., customer bills detailing make, model and serial number),
- resources necessary to make effective use of E-rate discounts, including the purchase of equipment such as workstations not eligible for support,
- the specific location of each item of E-rate funded equipment, and
- the applicant has paid the non-discount portion.

These documents must be retained and available for review for five years.

Complete program information is posted to the Schools and Libraries Division (SLD) web site at www.sl.universalservice.org. Information is also available by contacting the SLD Client Service Bureau by e-mail at question@universalservice.org, by fax at 1-888-276-8736, or by phone at 1-888-203-8100.

TO APPEAL THE SERVICE START DATE/FUNDING COMMITMENT CHANGE DECISION

If you wish to appeal the Service Start Date change(s) and/or funding commitment adjustment(s) indicated in this letter, your appeal must be RECEIVED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify which FRN Service Start Date change or Funding Commitment adjustment you are appealing. Indicate the relevant funding year and the date of this Form 486 Notification Letter. Your letter of appeal must also include the relevant Funding Request Number(s), the Billed Entity Name, the Form 471 Application Number, and the Billed Entity Number from your Form 486.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.
4. Provide an authorized signature on your letter of appeal.

If you are submitting your appeal on paper, please send your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, NJ 07981. Additional options for filing an appeal can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We encourage the use of either the e-mail or fax filing options.

While we encourage you to resolve your appeal with the SLD, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be RECEIVED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use either the e-mail or fax filing options because of continued substantial delays in mail delivery to the FCC.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that the SLD and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. The SLD may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by the SLD, the applicant, or the service provider. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

A GUIDE TO THE FORM 486 NOTIFICATION LETTER FUNDING COMMITMENT REPORT

A report for each FRN for which you have notified us of a Service Start Date is attached to this letter. We are providing the following definitions for the items in that report.

Funding Request Number (FRN): A Funding Request Number is assigned by the SLD to each Block 5 of your Form 471 once an application has been processed. This number is used to report to applicants and service providers the status of individual discount funding requests submitted on a Form 471.

Form 471 Application Number: A unique identifier assigned to a Form 471 application by the SLD.

Service Provider Name: The name of the service provider that you identified as providing the service included in this FRN.

Service Provider Identification Number: The unique number assigned by USAC to the service provider you identified as providing the service included in this FRN.

Billing Account Number: The account number that you have established with your service provider for billing purposes. This will be present only if a Billing Account Number was provided on the Form 471.

Service Start Date: The Service Start Date (SSD) as indicated on the Form 486. If this date is marked with an asterisk, it was changed by the SLD to be in compliance with program rules and an explanation for the change has been provided. This date as shown is controlling and USAC will not reimburse discounts on products and/or services delivered or installed prior to this date.

Service Start Date Change Explanation (SHOWN ONLY IF RELEVANT): If the Service Start Date is marked with an asterisk, this field will explain why the SLD changed the date. One of the following explanations may appear:

AVSCD: The Service Start Date may not be before the Allowable Vendor Selection/Contract Date (AVSCD) from the Form 470 cited for this FRN on the Form 471. If you indicated an earlier SSD on the Form 486, the SLD changed the SSD to the AVSCD.

120-DAY 486 DEADLINE: Forms 486 must be postmarked no later than 120 days after the start of services or no later than 120 days after the date of the FCDL, whichever is later. If the Form 486 is postmarked after the later of those two dates, the SLD changed the SSD to the date 120 days before the Form 486 postmark date. That date will become the start date for discounted services. You are advised to keep proof of the date of mailing of your form(s).

Adjusted Funding Commitment (SHOWN ONLY IF RELEVANT): If the SLD changed the Service Start Date, this change may have triggered a reduction in the funding commitment. This field will only appear if there is a reduction to the funding commitment amount.

FORM 486 NOTIFICATION LETTER
FUNDING COMMITMENT REPORT
(Funding Year 2002)

Funding Request Number: 781360
Form 471 Application Number: 298633
Service Provider Name: AT&T Wireless Services, Inc.
Service Provider Identification Number: 143024165
Billing Account Number: 95070819
Service Start Date: 02/23/2003
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Adjusted Funding Commitment: \$471.20

Funding Request Number: 781934
Form 471 Application Number: 298633
Service Provider Name: Univance Telecommunications
Service Provider Identification Number: 143021807
Billing Account Number: 187356
Service Start Date: 02/23/2003*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Adjusted Funding Commitment: \$1,147.60

Funding Request Number: [REDACTED]
Form 471 Application Number: 298633
Service Provider Name: Qwest Corporation fka US West Communications, Inc.
Service Provider Identification Number: [REDACTED]
Billing Account Number: [REDACTED]
Service Start Date: 02/23/2003*
Service Start Date Change Explanation: [REDACTED]
Adjusted Funding Commitment: \$6,532.00